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67-4485/1

25 SEP 1967

DD/S [illegible] FILE Security 5

The Honorable L. Mendel Rivers
Chairman, Committee on Armed Services
House of Representatives
Washington, D. C. 20515

My dear Mr. Chairman:

I am deeply concerned over the impact of the provisions of S. 1035 upon the Central Intelligence Agency and, for that matter, on the departments and agencies of the intelligence community.

A bill similar to S. 1035 was introduced by Senator Ervin late in the 89th Congress and applied to all employees of the Government. As introduced in the 90th Congress, S. 1035 contained a complete exemption for the FBI only. The bill was amended in Committee to permit an officer of CIA or NSA to request an employee or applicant to take a polygraph test, or to take a psychological test, designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters, or to provide a personal financial statement, on the basis of a personal finding by the Directors in each individual case that the test or information is required to protect the national security. A floor amendment permits a designee of the Directors to make the required personal finding. A final floor amendment removed the full exemption for the FBI and granted it the same partial exemption provided for NSA and CIA.

Let me state to begin with that my colleagues and I in CIA are as keenly interested as any member of the Congress in the need to preserve the Constitutional rights and freedoms of all our citizens. Most of us originally joined the Agency and continue to work for it not only because we believe in those basic democratic freedoms but because we know them to be threatened by external and aggressive forces. The national security which

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we have sworn to defend is not to us a mindless abstraction or xenophobic slogan. Rather it is because our country's borders define a rule of law that permits a Bill of Rights to flourish that we believe our nation's security is worth defending. The men I know who have undertaken difficult and often dangerous assignments abroad have done so in the mature conviction that they were helping to preserve the democratic rights of our people.

If all the nations of the earth were peaceful democracies and if there existed reliable international guarantees against aggression and subversion, I would not have to write this letter nor would this country need a CIA. Much as we look forward to such a safe and peaceful world, we have to accept the hard fact that it does not yet exist. In the world of reality in which we have no choice but to live, the survival of our country as a free and democratic state depends upon our ability to protect the security of our defensive plans and dispositions. It also depends on our ability to predict and anticipate the new forms of military and political aggression that an indefatigable opponent may invent. In this struggle that has been forced upon us, nothing is more important than the integrity, the high morale, and the competence of the men and women who work for us.

After some twenty years of experience, we in the CIA are, I think, well aware of the nature of the espionage effort directed against this country. The Soviet KGB, the intelligence services of the Eastern European satellites, of Cuba, and of Communist China are engaged in a continuing endeavor to discover and exploit any human frailty among those who have access to that sensitive information which these unfriendly intelligence services do not know. If a man is in deep financial trouble, a tempting bribe is offered. If a man has a past record of homosexual activity, that vulnerability is exploited by ruthless blackmail. If a man has a relative whose safety or welfare is within their power to threaten, the threat is made. I do not mean to over-dramatize but to suggest that employment in the field of intelligence is subject to special risks and pressures to which the average Federal employee is not subjected.

It is my conviction that the Agency would be derelict if we did not recognize this as a special situation and adopt special procedures. The protection of the vast amount of highly sensitive information so vital to our national security can be no better than the security, integrity, and practices of any employee having access to such sensitive information. Accordingly, we must ensure to the best of our abilities that employees selected to perform duties involving the national security are suitable in all respects. We must of necessity know a great deal more about those whom we select than would be necessary in a nonsensitive activity, and we must also know a great deal

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more about our employees throughout their period of service. In the Central Intelligence Agency we feel we have developed a system which gives reasonable protection to the national interest and at the same time, through its professional management, ensures the well being and rights of the employees serving our national interests. We believe that this type of program is necessary and we expect a high sense of self-discipline from our employees. While this concept may not be entirely to the liking of some applicants and employees, I am confident that most employees accept it as necessary and proper in carrying out our mission. We have a corps of highly qualified, well-trained, professional officers, and their dedication to the intelligence program is demonstrated by their accomplishments and one of the lowest attrition rates in Government attests to their job satisfaction.

The following will illustrate some of the problems which this proposed legislation would create for us:

Section 1 (b), while commendably protecting an employee from compulsory attendance at meetings and lectures on matters unrelated to his official duties, would, for example, make it unlawful for any department or agency to "take notice" of the attendance of one of its employees at a meeting held by a subversive group or organization. I question whether this is really the Senate's intent and yet this is clearly one of the effects of Section 1 (b).

Section 1 (d), in making it unlawful to require an employee to make any report of his activities or undertakings not related to the performance of official duties, is similar in its effect to Section 1 (b). It poses the question whether the Agency, having learned or discovered that one of its employees is in regular and unreported contact with an intelligence official of a foreign government, would be violating the law in asking the employee for an explanation of this relationship, particularly in the case in which the employee's official duties do not relate to matters involving that particular foreign government. Further, this Section is in conflict with a long-established policy that employees of the Agency must obtain prior approval in making public speeches or writing for publication. These and additional restrictions are established to prevent the inadvertent disclosure of sensitive intelligence through employee activities or undertakings not related to official duties. Here again the question arises whether the Agency would be violating the law in exerting control over these activities.

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Section 1 (e) deals with psychological testing. S. 1035, as amended, authorizes the Directors of the FBI, NSA and CIA, or their designees, on the basis of a personal finding in each individual case, to use such tests for the purpose of inquiring into the sensitive areas of religious beliefs and practices, personal family relationships, and sexual attitudes, but it denies the use of such testing to all other departments and agencies without regard to the fact that employees of these departments and agencies may be regular recipients of highly classified information.

Section 1 (f) establishes the same prohibition on the use of the polygraph test as applies to psychological testing, and grants the same partial exemption to the FBI, NSA and CIA. Again, the use of the polygraph test in the proscribed areas is denied to all but these three agencies, irrespective of the fact that highly sensitive positions may be involved.

Section 1 (k) poses a problem for the Agency in that it would appear to require the presence of counsel in behalf of an employee as soon as and at the very moment that a supervisor were to ask the employee the reasons for some suspected dereliction of duty ranging from a serious security violation to even coming to work late. This provision goes to the very heart of the continuous process of review of intelligence operations and activities to determine their effectiveness, the quality of information derived, and professionalism in which the activities were conducted. Out of such interviews or post-mortems there naturally evolves the review of individual employee performance which, if unsatisfactory, can readily result in disciplinary action. A great many extremely sensitive intelligence operations and activities are involved in this process and the presence of private counsel in behalf of an employee would raise most serious questions as to the appropriate control and protection of the intelligence information involved. I cannot believe that these kinds of restraint on our managerial and intelligence operational program are the intent of the Senate and yet this does seem to be the effect of this Section as presently written. Obviously, I have no desire that an employee should be deprived of the right of counsel when appropriate, but the wording of this Section would make it "unlawful" to ask the simple preliminary questions which are necessary to establish whether or not there is some failure in performance or dereliction of duty unless provisions were also made at the same time for the presence of counsel if the employee so requested.

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Section 1 (i) compounds the serious dilemmas which several of the provisions of the bill raise for the Agency by making it unlawful for me to take actions to protect the security and integrity of the Agency even though the Central Intelligence Agency Act of 1949 places that responsibility upon me. The implications of this Section for the orderly administration of the business of the Agency are most troublesome.

Section 4 of the bill could create very considerable mischief. This is the section which permits any employee or applicant who alleges that an officer of the Executive Branch has violated or threatened to violate provisions of the Act to bring civil action in the district courts. Communist or other subversives acting on their own or on instructions from foreign agents, would have the authority, under this Section of the bill, to file a civil action if, for example, in the course of a recruitment interview, simple and non-sensitive questions relating to the background of the individual were asked and were considered incompatible with the other provisions of the bill. Although it may be argued that the Agency could, in a trial of the issue in open court, prove that it had acted fully in accordance with the provisions of the bill, this might well require in some of these cases a kind of exposition on the public record, of the personnel and activities of the Agency, which would be totally inconsistent with the security of our personnel and activities. I am reminded here of the fact that Congress has charged me with the protection of sources and methods of intelligence, a serious responsibility.

Section 5. The comments made with respect to Section 4 above are only to a slightly lesser extent equally applicable to Section 5.

Section 6. This Section grants a partial exemption to the FBI, NSA and CIA with regard to financial disclosure and the use of psychological and polygraph testing by requiring each of the Directors, or their designees, to make a personal finding with regard to each individual case that such testing or financial disclosure is required to protect the national security. The amendment permitting a designee of the Director to make the personal finding shifts the serious burden previously imposed upon the Director alone. If the Agency is to comply with the spirit of the law, it will still be necessary that a personal finding be made in each individual case that such testing or financial disclosure is required to protect the national security. Inquiry by these means into the proscribed areas, which are the key areas of vulnerability, will not be possible as a matter of general regulation. The Section, as amended, also resolves foreseeable problems created by Section 1 (i) and 1 (j) concerning disclosure of property, income or other assets or liabilities.

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With respect to Section 7, I can assure you that we have an elaborate system of internal grievance procedures including the maintenance of the Office of Inspector General who reports directly to me and whose door is always open to each and every one of our employees.

Section 1 (a) is quite compatible with current Agency practices and Sections 1 (c), 1 (g), and 1 (h) do not affect current Agency practices. Sections 2 and 3 of the bill do not relate to the Agency.

In conclusion I well remember the great concern expressed by the Congress in the late 1940's over loose security practices and procedures in Government and the strong reaction of the Congress which resulted in more stringent security regulations and standards of employee suitability. These measures have through the years guided our efforts to ensure that we are able to frustrate the aggressive nature of operations directed against our national security by hostile foreign intelligence services.

In my judgment this bill, if enacted, would be a most serious obstacle to the effective protection of intelligence sources and methods. It would seriously weaken our effort to prevent penetration by a hostile intelligence service, to ensure that our employees are suitable in all respects for employment in this sensitive Agency, and in general make it much more difficult for the Director of Central Intelligence to discharge his responsibilities under existing law. I earnestly request your consideration of the serious issues suggested by this proposed legislation.

Respectfully,

/s/ Richard Helms

Richard Helms
Director

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DD/S REGISTRY

CHARLES BARTLETT

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Security Danger Seen in Ervin Bill

The Ervin bill to protect the privacy of government employes, which has just rolled through the Senate, has a Jeffersonian thrust that makes it awkward for critics to point up its Frankenstinian aspects.

The Senate's 79-to-4 vote for the measure is a full pendulum swing away from the Senate's posture of 12 years ago when the rights of the individual in government were being weighed lightly against the risk that he might be a Communist.

The concern of Senator Sam Ervin of North Carolina for the privacy and other rights of the federal workers has led him to push through the Senate a bill that can leave the managers of 3 million government employes in an excessively defensive position and the doors to employment dangerously open in areas where security is a consideration.

★

One of the Senate's liveliest legal minds, Ervin was attracted to his crusade by a fear that the Civil Service Commission was moving toward the establishment of a quota system for the employment of Negroes.

As he probed into the complaints arising from the CSC's insistence upon racial identification (since rescinded), he uncovered other causes of indignation. Some resented pressures to buy political banquet tickets or saving bonds; some disliked the disclosure of holdings required under a 1965 directive on government ethics; many reported unhappiness at special tests required for acceptance by the CIA and National Security Agency.

His bill assumed the shape of a collection of specific responses to these grievances and its momentum was assured by the federal employe unions, who perceived that the moment was ripe for a quiet uprising against supervisors all over the government.

The extent of this insurgence is marked by the Ervin bill's provisions that:

An employe reprimanded for even such minor infractions as tardiness has a right to insist upon counsel; aggrieved applicants for jobs as well as employes are empowered to file suit in District Court whether or not available administrative remedies have been exhausted; a new Board on Employes' Rights is established to receive complaints and respond as discretion dictates.

★

Initially the bill was so stiffly drafted that a supervisor who asked an employe where he was born could be subject to criminal penalties. The latter were softened by the Senate Judiciary Committee but the consequence of Ervin's bill, in the judgment of the Civil Service Commission, will still be to make the government less efficient because supervisors will be more defensive.

Ervin became embroiled with the CIA as he developed his bill and the most damaging aspects of it are the openings that it pries in the security cover over intelligence, code-breaking, and other classified activities.

The inducements of money, sex and ideology (preponderantly the former) have persuaded 11 Americans in sensitive government operations to cooperate with the Communists in recent years. Indeed Gen. Serov of Soviet intelligence was reported by Oleg Penkovsky to have told his trainees in 1962 that the economic pressures in the capitalist countries render many people ready to run risks "to collaborate with us."

In the last two years Communist agents abroad made more than 600 contacts with U.S. officials that could be plainly characterized as attempts to establish a basis for collaboration. One-third of these were directed at CIA personnel.

★

The damage done by past penetrations and the evidence that they persist as a threat are more compelling ingredients of the national interest than Ervin's indignation over the methods of screening applicants for employment.

The North Carolinian who will handle the bill in the House, Chairman David Henderson of the Post Office and Civil Service Committee, is not fired by Ervin's sense of crusade. He is expected to produce a more balanced measure if he can contend with the weight of the unions.

© 1967

NOTES

We sympathize with the President's grandson. It looks as though he is going to be one of those people who have to go through life with their names parted in the middle as P. Lyndon Nugent.

The big lie has been on display at the United Nations. Also several that were somewhat smaller, but still nothing for an ambitious liar to be ashamed of.

The word from the President's chief economic adviser is that income taxes must be raised to safeguard prosperity. No true patriot will shrink from going broke to safeguard prosperity.

Ronald Reagan's liability is said to be insufficient experience. On the other hand, Richard Nixon's liability is too much experience.

—BILL VAUGHAN.

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DD/S 67-4874

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21 September 1967

MEMORANDUM FOR: Mr. John Warner

Security 5

John:

Further to our conversation I have one suggestion for improvement of this letter.

On page 4 immediately after the two paragraphs dealing with psychological and polygraph testing or on page 5 after our discussion of Section 6 I think we should make the point that, in addition to the heavy burden placed upon the "designee" to pass on several thousand cases each year, there is no known criteria upon which this determination could be based. For example, who would have known that Martin and Mitchell, Johnson, Mintkenbaugh, Scarbeck, or any of the others involved in the last ten espionage cases should have been given a polygraph or psychological test? The point is that if you had reason to think they should have been tested, you would have turned them down anyway.

I haven't had time to concoct any language, but perhaps you, Bob Bannerman, and Howard Osborn could draft something for my consideration if you agree that we might make a little more of this particular point.

/s/ L. K. White

L. K. White

Attachment

cc: DD/S
General Counsel

P.S. One other point which we might consider (I am not sure we should include it) is that only a very small percentage of

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Excluded from automatic downgrading and declassification

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applicants rejected are suspected of having Communist leanings, and only a slightly larger percentage are suspected of being security risks at the time of their application. Nevertheless, it is extremely important that to the best of our ability they be suitable in all respects to minimize the chances of their ever becoming a security risk.

LKW

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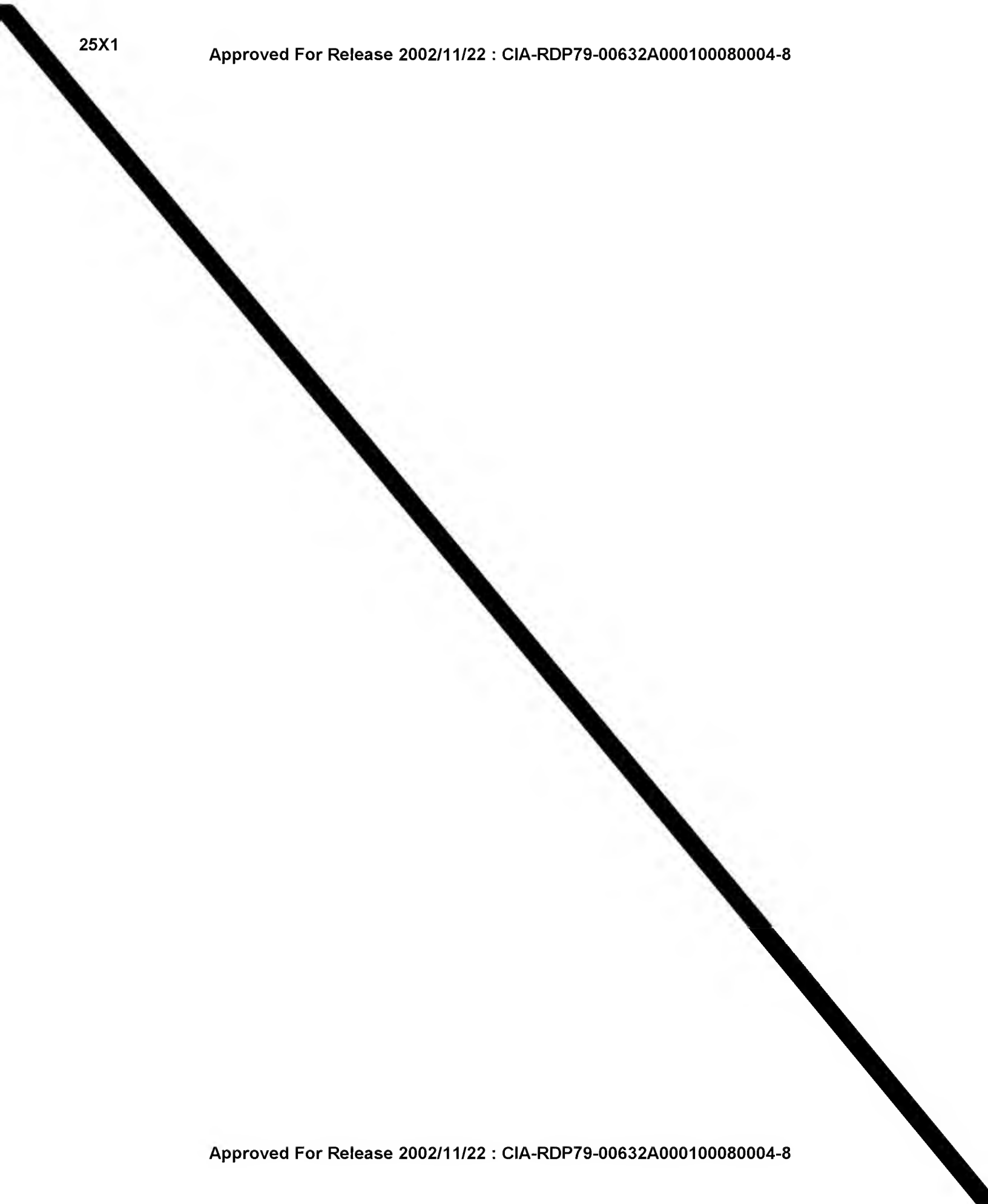

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The Washington Daily News, Thursday, August 24, 1967

9 to 4:30

Did You Lie About Your Golf Score?

By JOHN CRAMER

Here are four shocking examples of unwarranted privacy - invasions by Government investigators.

They were cited by George B. Autry, chief counsel of the Senate Sub - constitutional Rights Sub - committee, in an address this week to the National Association of Internal Revenue Employes in convention in Los Angeles.

From the Sub - committee files, Mr. Autry reported:

"An engineer applying for a job with a private airline company, was subjected to an extensive investigation and interview by Air Force investigators because the company had a defense contract. They asked him, a married man, such questions as "Have you ever had extra-marital relations? Have you ever lied about your golf score? Do you and your wife have an agreement that both of you can engage in extra-marital activities?"

"There is a Defense Department memorandum setting guidelines for security investigations.

"But when he asked the investigators what possible relevance such questions had to a security determination under the guidelines, they flatly refused to tell him. Their supervisor said he didn't know anything about that memo and since his investigators weren't lawyers, they couldn't rule on the relevance of the questions they asked.

"There was the IRS employe being investigated for a job with the Service whose neighbors were asked how he treated his adopted children. Neither the neighbors nor the children knew they were adopted.

"On the basis of another employe's contention that he was a CIA employe, a civil servant in the Defense Department was locked in a room and interrogated for hours by investigators, refused the presence, and advice of his supervisor or a lawyer. He was told to write and sign a statement describing his personal life and habits in great detail. Then he was pressured to take a lie detector test. When he demanded to know the reasons for the investigation and the charges, he was told there were none. Yet, he was immediately removed from his top - secret job and assigned to a non - sensitive personnel job where he has remained for three months, despite Sub - committee de-

(Continued on Page 20)

(Continued from Page 2)

mands to the Army and the Civil Service Commission that the matter be cleared up.

"One employe was investigated for pilfering candy machines. In the process of the investigation, he was asked whether he knew his wife was running around with another man."

The growing air of unhappiness which engulfs Congressional efforts to work out a pay bill acceptable to the President (and responsive to the needs of underpaid Federal employees) emerged clearly the other day in a statement by the very excellent Rep. Morris Udall (D., Ariz.).

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ILLEGIB
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CHICAGO, ILLINOIS
SUN-TIMES Approved For Release 2002/11/22 : CIA-RDP79-00632A000100080004-8

M-547,381
S-701,460

SEP 18 1967

CHARLES BARTLETT

The Uprising In Bureaucracy

WASHINGTON—The Ervin bill to protect the privacy of government employes, which has just rolled through the Senate, has a Jeffersonian thrust which makes it awkward for critics to point up its Frankenstinian aspects.

The Senate's 79-to-4 vote for the measure is a full pendulum swing away from the Senate's posture of 12 years ago when the rights of the individual in government were being weighed lightly against the risk that he might be a Communist.

ERVIN

The concern of Sen. Sam J. Ervin Jr., (D-N.C.) for the privacy and other rights of the federal worker has led him to push through the Senate a bill that can leave the managers of 3,000,000 government employes in an excessively defensive position and the doors to employment dangerously open in areas where security is a consideration.

One of the Senate's liveliest legal minds, Ervin was attracted to his crusade by a fear that the Civil Service Commission was moving toward the establishment of a quota system for the employment of Negroes.

AS HE PROBED into the complaints arising from the CSC's insistence upon racial identification (since rescinded), he uncovered other causes of indignation. Some resented pressures to buy political banquet tickets or savings bonds; some disliked the disclosure of holdings required under a 1965 directive on government ethics; many reported unhappiness at special tests required for acceptance by the Central Intelligence Agency and National Security Agency.

His bill assumed the shape of a collection of specific responses to these grievances and its momentum was assured by the federal employe unions, who perceived that the moment was ripe for a quiet uprising against supervisors all over the government.

The extent of this insurgence is marked by the Ervin bill's provisions that: an employe reprimanded for even such minor infractions as tardiness has a right to insist upon counsel; aggrieved applicants for jobs as well as employes are empowered to file suit in district court whether or not available administrative remedies have been exhausted; a new board of employes' rights is established to receive complaints and respond as discretion dictates.

Initially, the bill was so stiffly drafted that a supervisor who asked an employe where he was born could be subject to criminal penalties. The latter were softened by the Senate Judiciary Committee but the consequence of Ervin's bill, in the judgment of the Civil Service Commission will still be to make the government less efficient because supervisors will be more defensive.

ERVIN BECAME EMBROILED with the CIA as he developed his bill and the most damaging aspects of it are the openings which it pries in the security cover over intelligence, code-breaking and other classified activities.

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RALEIGH, N.C.
NEWS & OBSERVER

M-130,044
S-154,008
SEP 10 1967

He May Win

Senator Sam's Fight With CIA

By Roy Parker Jr., Washington Correspondent, The News and Observer

WASHINGTON — Sen. Sam Ervin Jr., whose dual personality makes him one of our most fascinating public figures, is now playing a role which seems unlikely for him.

If Ervin were only the Claghornanti-Negro "constitutional expert" that he often seems to be, it would be passing strange that he has become the major nemesis of a sacrosanct institution — the Central Intelligence Agency.

Parker

But because of the duality of his nature, it seems completely in character that the North Carolinian is now in the role of harrier of CIA. There is even an outside chance that he may win his battle to crack—ever so slightly — the secrecy which has kept that agency from public scrutiny for a generation.

For, if Ervin has a blind spot about civil rights for some folks, he has a tenacious bent when it comes to such rights for others. His bill to provide a "Bill of Rights" for the army of federal government employes is one of his better efforts in that direction.

And it is this bill which has brought him up against the CIA, and its even more supersecret compatriot, the National Security Agency of the Defense Department. The Ervin bill would make it harder for closed-door and lie detector tests to employes and prospective employes.

And although it has a 53 co-sponsors, the Ervin bill is in trouble in the Senate because CIA and NSA opposition to the anti-test provisions. The bill was postponed before the Labor Day holiday when the agencies circulated objections — contained in a "top secret" 10-page letter — among senators.

Ervin said the secret attack on his bill was "unprecedented" in his 13 years of observing Congress in action from the inside. Even those who engineered the postponement agreed with the observation.

But, then, the CIA has always been unprecedented. Its multi-hundred million dollar budget is hidden and never debated in Congress. Its employes are exempt from many of the normal regulations of civil servants. Its bosses are never called on the public carpet, even when it has made colossal blunders.

And much of this is no doubt necessary. No one would deny that the CIA has brave men working at a dirty business. If their story is ever told, Americans will no doubt thrill to their exploits and justifably count them heroes in a dangerous age.

But like any other giant enterprise, CIA also has a large element of humbug, a component of silliness. Because of the necessity for secrecy, it is more likely that the agency never has to account for the humbug and the silliness.

Ervin's "Bill of Rights" does little more than skim the top off such silliness. The bill would make it somewhat harder for the supersecret agencies to engage in some of the more dubious forms of personnel testing.

The evidence seems to be that thousands of workers, as many as 5,000 a year in both CIA and NSA, are required to take detailed personality tests and submit to lie detectors each year. This figure would indicate that many thousands whose tests become file records of the secret agencies never actually work for the agencies.

Granting the need for such testing for many of its operatives, Ervin insists that the business is overdone when it becomes a general policy applied even to the hundreds of clerical and service personnel who back up the operatives.

The Morganton senator, who masks an essential bashfulness behind a penchant for purple rhetoric in debate, may have overdone it somewhat in the following floor remarks, but you get the idea.

Speaking of CIA personnel testing, Ervin asked:

"Do they know how to evaluate a secretary for employment without asking her how her bowels are, if she has diarrhea, if she loved her mother, if she goes to church every week, if she believes in God, if she believes in the second coming of Christ, if her sex life is satisfactory, if she has to urinate more often than other people, what she dreams about, and other extraneous matter."

It sounds silly, but all the questions were actually included on one or another personnel questionnaire.

Ervin's bill would preclude such questioning except in cases approved by the top bosses of the intelligence agencies.

The outcome of the fight over his bill may not be dramatic. There undoubtedly should be some sort of compromise worked out in the siderooms of the congressional process. Face will be saved on both sides, and CIA will probably get essentially what it wants.

An Ervin victory over the CIA would, to many, constitute a rare breath of fresh air, a win for goodness over a sordiness which may be inevitable in our society, but which nevertheless rankles men of altruistic nature.

Ervin's personality adds credence to the symbolism. Despite his love of corny mountain humor, the senator is essentially an earnest man. He seeks to fight all his battles on planes which are so lofty they often seem out of the world.

In this case, what he actually is trying to do is rather simple. He is aiming at a species of humbug, not trying to bring down the nation.

His best tactic might be to try to laugh his bill across. The quote about secretaries hinted at a good store of material, but that would be against his basic nature. And in this mordantly silly business it would probably be doomed to failure anyway.

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BOSTON, MASS.
CHRISTIAN SCIENCE
MONITOR

M-192,399

SEP 16 1967

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Senate fire

CIA job: fences to mend

By Lyn Shepard

Staff correspondent of
The Christian Science Monitor

Washington

A major fence-mending job in Congress awaits the Central Intelligence Agency (CIA).

The magnitude of that task became apparent during recent Senate debate on a "right-of-privacy" bill which passed eventually by a lopsided 79-4 vote.

The bill seeks to protect federal workers from "big brother"—nosiness in the form of intimate hiring questionnaires and so-called "lie-detector" tests, as well as other prying practices resented by employees.

As reported by the Senate Judiciary Committee, the measure would grant a partial exemption to the CIA and the National Security Agency (NSA). It would permit the two agencies' directors to use polygraph tests on job applicants when they could make a personal finding that the nation's security was at stake.

The bill's author, Sen. Sam J. Ervin Jr. (D) of North Carolina, had resisted this exemption. This in itself reveals a measure of CIA slippage since last year.

Showdown recalled

The last Senate showdown on the CIA and its operations occurred July 14, 1966. Sen. Eugene J. McCarthy (D) of Minnesota sought to enlarge the Senate's "CIA watchdog" committee to include members of the Foreign Relations Committee, Its membership has been restricted to senators on the Armed Services and Appropriations Committees.

The McCarthy motion lost then by a decisive 61-28 margin. But even at the time, some observers marveled at the size of the minority vote. More than a quarter of the members joined in the uprising.

When the McCarthy proposition came to a vote, conservatives like Senators Ervin, Roman L. Hruska (R) of Nebraska and Norris Cotton (R) of New Hampshire opposed it.

These members held with the majority that to enlarge the "watchdog" group might endanger national security, the greater likelihood of a "weak link."

But today these three members have joined the 28 CIA critics — all of whom remain in the Senate. Retiring liberals like Paul H. Douglas, Ross Bass, and Maurine B. Neuberger weren't included in their number.

Roll call averted

On the other hand, some strong CIA supporters like A. Willis Robertson and Leverett Saltonstall have left the Senate. Their successors may not share their views.

The key issue in the Ervin bill—whether or not to allow the CIA and NSA a blanket exemption—didn't come to a vote. A compromise averted a roll call. Had a vote been recorded, Senator Ervin would probably have lost it. Yet it would have reflected a marked falloff from the backing accorded the CIA little more than a year ago.

What has prompted the shift of sympathy? Certainly one factor is the disclosure of widespread CIA use of foundations to gain information — through international student, labor, and cultural groups.

Probably more important, the CIA has irked some members by sharing details of its operations with the "watchdog" group while refusing to pass any of it on to other members.

One senator obviously miffed by this practice is Norris Cotton, who sits on the Appropriations Committee but not on the "watchdog" group.

Ervin chides CIA

During debate on the Ervin bill, Senator Cotton chided the CIA for having grown "very arrogant and very powerful." He added ominously that "all of the enemies of our country are not necessarily foreign enemies."

While noting the "undoubted service" of the CIA, the New Hampshire Senator warned of the danger "of the invasion of our country's liberties when we create within the government any kind of a Frankenstein monster that enjoys particular privileges of secrecy and exercises those privileges to such degree."

Sen. John Stennis (D) of Mississippi had earlier told members that "many, many millions of dollars" are granted each year to finance the security agencies. Yet members of the Appropriations Committee remain in the dark on the exact amount, according to Senator Cotton.

Those senators, the few who oversee the CIA, have rescued the CIA in the past. But the CIA may have to broaden that circle if it intends to maintain a friendly majority in the Senate in the years ahead.

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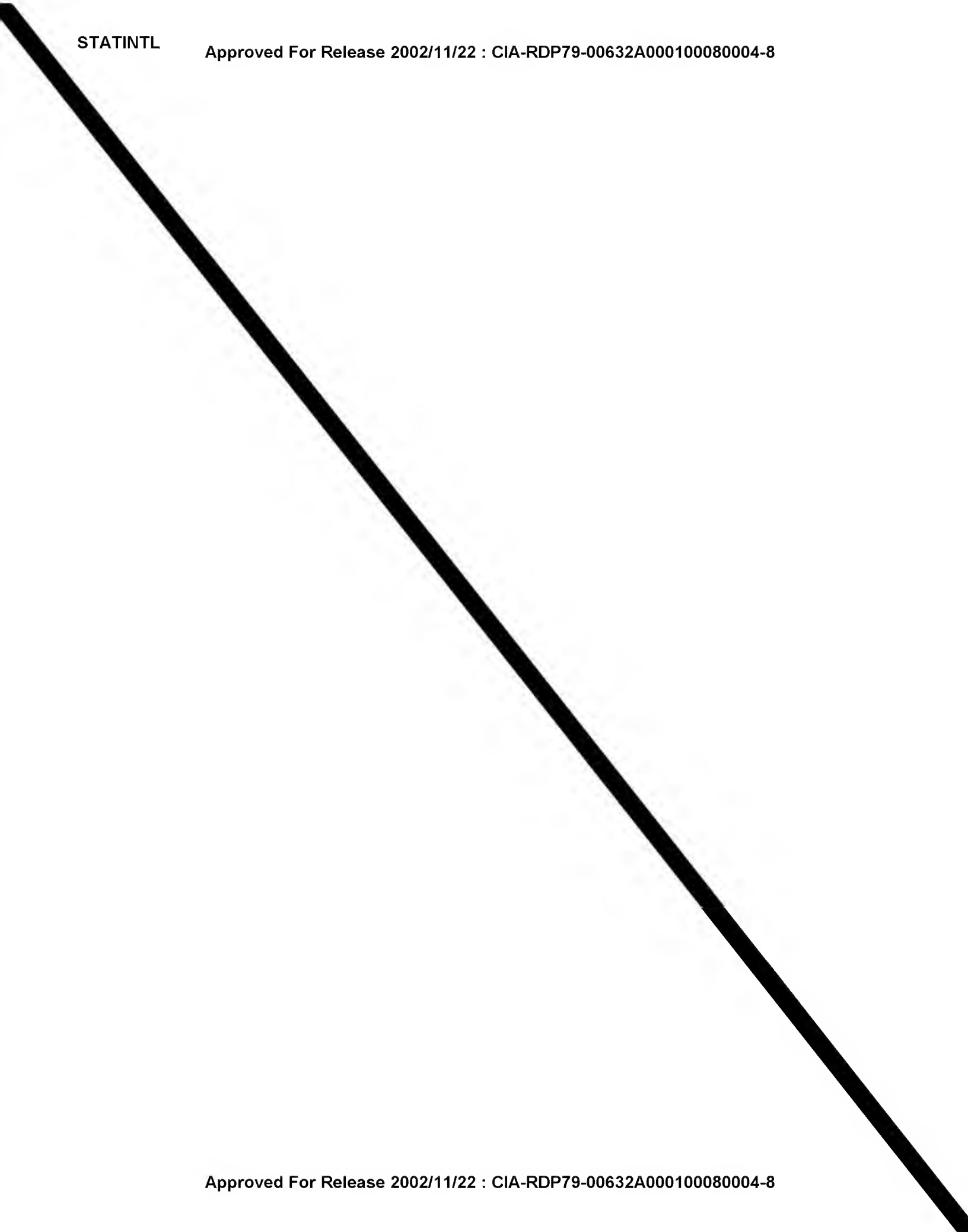

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